

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**FILED**  
11/28/07

SEA CARRIERS LP I and  
SEA CARRIERS CORPORATION  
(individually and on behalf of those  
similarly situated),

v.

NYSE EURONEXT, INC., et als.

: Case No. 07-civ-4658 (RWS)  
:  
: **NOTICE OF MOTION TO**  
: **ADMIT COUNSEL**  
: **PRO HAC VICE**

TO: James Irving McClammy, Esq.  
DAVIS POLK & WARDWELL  
450 Lexington Avenue  
New York, NY 10017  
Attorney for Defendant, *Banc of America Securities LLC*

Daniel Benjamin Rapport, Esq.  
Kevin Scott Haeberle, Esq.  
FRIEDMAN, KAPLAN, SEILER AND ADELMAN LLP  
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New York, NY 10019  
Attorneys for Defendant, *Van Der Moolen Specialists USA LLC*

Evan R. Chesler, Esq.  
Richard W. Clary, Esq.  
Daniel Slifkin, Esq.  
CRAVATH, SWAINE & MOORE LLP  
825 Eighth Avenue  
New York, NY 10019-7475  
Attorneys for Defendant, *Citigroup Global Markets, Inc.*

Irwin H. Warren, Esq.  
Jay N. Fastow, Esq.  
Stephen A. Radin, Esq.  
Joshua S. Amsel, Esq.  
WEIL, GOTSHAL & MANGES LLP  
767 Fifth Avenue  
New York, NY 10153  
Attorneys for Defendant, *LaBranche & Co. LLC*

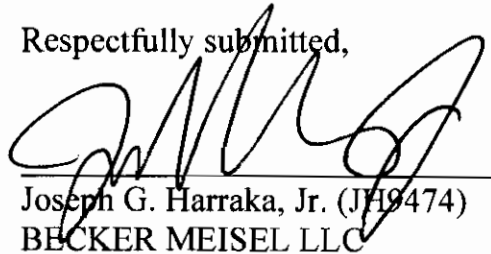
FILED  
U.S. DISTRICT COURT  
2007 NOV 28 4:10:32  
S.D.N.Y.

NO \$25-634467 11/24/07

PURSUANT TO RULE 1.3 (c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Joseph G. Harraka, Jr., a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of Martin L. Borosko.

Martin L. Borosko is a member in good standing of the Bar of the State of New Jersey. There are no pending disciplinary proceedings against Martin L. Borosko in any State or Federal court.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'JG Harraka, Jr.', is written over a horizontal line.

Joseph G. Harraka, Jr. (JH9474)  
BECKER MEISEL LLC  
Eisenhower Plaza II  
354 Eisenhower Parkway  
Suite 2800  
Livingston, New Jersey 07039

Dated: November 12, 2007

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SEA CARRIERS LP I and  
SEA CARRIERS CORPORATION  
(individually and on behalf of those  
similarly situated),

v.

NYSE EURONEXT, INC., et als.

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:  
: Case No. 07-civ-4658 (RWS)  
:  
: **AFFIDAVIT OF JOSEPH G. HARRAKA,**  
: **JR. IN SUPPORT OF MOTION TO**  
: **ADMIT COUNSEL *PRO HAC VICE***

State of New Jersey       )  
                                      )       ss:  
County of Essex            )

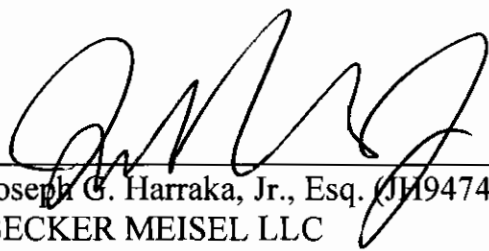
JOSEPH G. HARRAKA, JR., being duly sworn, hereby deposes and says as follows:

1. I am a partner in the law firm Becker Meisel LLC, counsel for Plaintiffs in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of the Plaintiff's motion to admit Martin L. Borosko as co-counsel *pro hac vice* to the Plaintiffs in this matter.

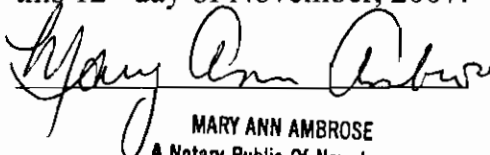
2. I am a member in good standing of the bar of the State of New York. I am also admitted to the bar of the United States District Court for the Southern District of New York and am in good standing with this Court.

3. I have known the applicant, Martin L. Borosko, for approximately 15 years.
4. Mr. Borosko is a partner at Becker Meisel LLC.
5. I have found Mr. Borosko to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Martin L. Borosko, as co-counsel *pro hac vice*.
7. I respectfully submit a proposed order granting the admission of Martin L. Borosko, as co-counsel *pro hac vice*, which is attached hereto.

WHEREFORE it is respectfully requested that the motion to admit Martin L. Borosko, as co-counsel *pro hac vice*, to represent Plaintiffs in the above-captioned matter, be granted.

  
\_\_\_\_\_  
Joseph G. Harraka, Jr., Esq. (JH9474)  
BECKER MEISEL LLC  
Eisenhower Plaza II  
354 Eisenhower Parkway  
Suite 2800  
Livingston, New Jersey 07039

Sworn and subscribed before me  
this 12<sup>th</sup> day of November, 2007.

  
\_\_\_\_\_  
MARY ANN AMBROSE  
A Notary Public Of New Jersey  
My Commission Expires 5-31-2012

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SEA CARRIERS LP I and  
SEA CARRIERS CORPORATION  
(individually and on behalf of those  
similarly situated),

v.

NYSE EURONEXT, INC., et als.

:  
: Case No. 07-civ-4658 (RWS)  
:  
: **AFFIDAVIT OF MARTIN L. BOROSKO**  
: **IN SUPPORT OF MOTION TO ADMIT**  
: **COUNSEL *PRO HAC VICE***

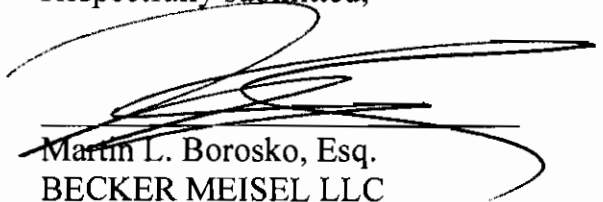
State of New Jersey       )  
                                      )  
County of Essex            )       ss:

MARTIN L. BOROSKO, being duly sworn, hereby deposes and states as follows:

1. I am a member in the law firm Becker Meisel LLC.
2. I submit this affidavit in support of the motion for admission to practice *pro hac vice* as co-counsel for Plaintiffs Sea Carriers, LP I and Sea Carriers Corporation in the above captioned matter.
3. As shown in the Certificate of Good Standing annexed hereto, I am a member in good standing of the Bar of the State of New Jersey.
4. There are no pending disciplinary proceedings against me in any State or Federal court.

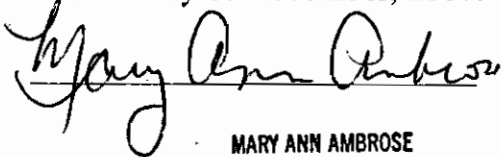
5. Wherefore, I respectfully submit that I be permitted to appear as counsel and advocate *pro hac vice* in this case.

Respectfully submitted,



Martin L. Borosko, Esq.  
BECKER MEISEL LLC  
Eisenhower Plaza II  
354 Eisenhower Parkway  
Suite 2800  
Livingston, New Jersey 07039

Sworn and subscribed before me  
this 12<sup>th</sup> day of November, 2007.



MARY ANN AMBROSE  
A Notary Public Of New Jersey  
My Commission Expires 5-31-2012

# Supreme Court of New Jersey

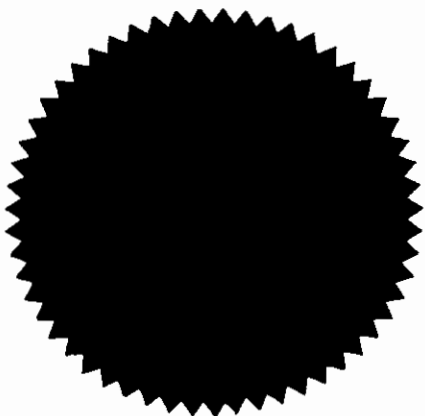


## Certificate of Good Standing

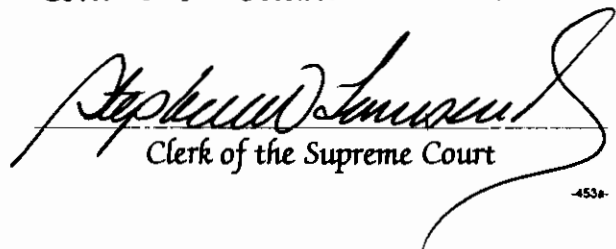
This is to certify that **MARTIN L BOROSKO**  
(No. **025411992** ) was constituted and appointed an Attorney at Law of New  
Jersey on **December 22, 1992** and, as such,  
has been admitted to practice before the Supreme Court and all other courts of this State  
as an Attorney at Law, according to its laws, rules, and customs.

I further certify that as of this date, the above-named is an Attorney at Law in  
Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing"  
if the Court's records reflect that the attorney: 1) is current with all assessments  
imposed as a part of the filing of the annual Attorney Registration Statement, including,  
but not limited to, all obligations to the New Jersey Lawyers' Fund for Client  
Protection; 2) is not suspended or disbarred from the practice of law; 3) has not  
resigned from the Bar of this State; and 4) has not been transferred to Disability  
Inactive status pursuant to Rule 1:20-12.

*Please note that this Certificate does not constitute confirmation of an attorney's  
satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to  
practice law in this State.*



In testimony whereof, I have  
hereunto set my hand and  
affixed the Seal of the  
Supreme Court, at Trenton, this  
26TH day of October , 20 07

  
Clerk of the Supreme Court

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SEA CARRIERS LP I and  
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(individually and on behalf of those  
similarly situated),

v.

NYSE EURONEXT, INC., et als.

: Case No. 07-civ-4658 (RWS)

: **CERTIFICATION OF SERVICE**

State of New Jersey )

)

ss:

County of Essex )

I, KAREN R. ROSTELLO, by way of Certification in lieu of affidavit do hereby  
state:

1. I am a legal secretary employed by Becker Meisel LLC, with offices  
located at Eisenhower Plaza II, 354 Eisenhower Parkway, Suite 2800, Livingston, New  
Jersey 07039.

2. I am more than 18 years of age.

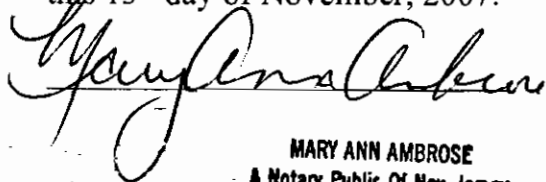
3. On November 13, 2007, I mailed via Federal Express: (a) Notice of  
Motion to Admit Counsel *pro hac vice*; (b) Affidavit of Joseph G. Harraka, Jr. in Support  
of Motion to Admit Counsel *pro hac vice*; (c) Affidavit of Martin L. Borosko in Support  
of Motion to Admit Counsel *pro hac vice*; (d) proposed form of Order for Admission *pro*

*hac vice*; and (e) this Certification of Service; upon the persons listed on the attached Service List.

I hereby certify that the foregoing statements made by me are true to the best of my knowledge and belief. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

  
KAREN R. ROSTELLO

Sworn and subscribed before me  
this 13<sup>th</sup> day of November, 2007.



MARY ANN AMBROSE  
A Notary Public Of New Jersey  
My Commission Expires 5-31-2012

**SERVICE LIST**

***Sea Carriers LP I and Sea Carriers Corporation v. NYSE Euronext, et al.***  
**Case No. 07-civ-4658 (RWS)**

The Honorable Robert W. Sweet  
United States District Court  
Southern District of New York  
500 Pearl Street  
Room 1920, Courtroom 18C  
New York, NY 10007

Daniel Benjamin Rapport, Esq.  
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*LaBranche & Co., Inc.*

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*Merrill Lynch & Co., Inc.*

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New York, NY 10004

Attorneys for Defendants  
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*NYSE Group, Inc.*

*[Handwritten signature]*  
*11/26/07*

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*The Goldman Sachs Group, Inc.*

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*Citigroup Global Markets, Inc.*  
*Credit Suisse Securities (USA) LLC*  
*Deutsche Bank Securities, Inc.*  
*Fidelity Investments Institutional Service Co.*  
*Jefferies Execution Services*  
*Jefferies Group, Inc.*  
*Morgan Stanley & Co., Inc.*  
*National Financial Services, Inc.*

John M. Vassos, Esq.  
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New York, NY 10178

Attorneys for Defendants  
*Bear Stearns & Co., Inc.*  
*Bear Wagner Specialists LLC*  
*Bear Stearns Securities Corp.*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SEA CARRIERS LP I and  
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(individually and on behalf of those  
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v.

NYSE EURONEXT, INC., et als.

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:  
: Case No. 07-civ-4658 (RWS)

:  
:  
: **ORDER FOR ADMISSION**  
: ***PRO HAC VICE***

Upon the motion of Joseph G. Harraka, Jr. and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that Martin L. Borosko is admitted to practice *pro hac vice* as co-counsel for Plaintiffs in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

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HONORABLE ROBERT W. SWEET